

had observed on the prior evening.

4. On Monday, May 10, 1993, WSMG(AM) was signed on at 4:30 a.m. by the regular weekly morning DJ, Charlie Grant. Prior to sign-on I observed the same unmodulated carrier, as on previous occasions.

5. On Saturday, June 26, 1993, I again monitored WSMG(AM) prior to sign-off. The station was signed off the air by operator Preston Powers at midnight with an incomplete ID. The operator turned off the lights except for those in the control room and left the premises at approximately 12:15 a.m. I then drove to the tower/transmitter site to get clear recordings of the carrier and to personally see if anyone came to turn off the transmitter manually. I parked approximately 45 yards from the transmitter, which is located on a dead end street. I kept my radio on 1450 kilohertz, listening to the unmodulated carrier until 2:15 a.m. I then drove home while continuing to listen to 1450 kHz and after having something to eat I returned to the tower/transmitter site at 3:30 a.m. and confirmed that there had been no change in the carrier, whatsoever.

6. On Sunday morning, June 27, 1993, I observed an unmodulated carrier prior to sign-on of WSMG(AM). At 5:25 a.m., a pick-up truck arrived at the studio. At 6:00 a.m., operator Scott Nichols signed the station on the air with no official ID. The announcer read the weather and introduced "Master Control", a recorded religious program, followed by another recorded program, "The Baptist Hour." After these two programs, the operator did

play a legal ID. This was the first legal ID broadcast by the station since 11:00 p.m. the previous night, despite the fact that the transmitter carrier had been on all night.

7. On Sunday, June 27, 1993, I monitored WSMG(AM) prior to sign-off. The operator signed the station off the air at midnight without a legal ID. The operator then turned off the lights and left the studios. I observed that the carrier remained on following sign-off. I then drove to the tower/transmitter site to make certain no one came to turn it off. I remained at the transmitter site until 1:15 a.m., then drove home to Tusculum while continuing to monitor the station, observing the same, unmodulated carrier.

8. On Monday, June 28, 1993, I returned to the transmitter site at 4:15 a.m. and found no change in the carrier. I then drove to the studio and found the lights on and an automobile parked in front of the station. At 4:30 a.m., modulation returned as the regular weekly morning air personality, Charlie Grant, signed the station back on the air.

I hereby certify under penalty of perjury that the above statement is true.

Signed and dated this 28 day of September, 1993.


WILLIAM H. SEAVER

EXHIBIT B

DECLARATION

I, Robert C. Seaver, do hereby certify that:

In May, 1993, I was contacted by William H. Seaver, who requested that I monitor the sign-off of WSMG(AM) to determine whether the station's transmitter carrier was being turned off or remained on after sign-off. As a favor to Mr. Seaver, I monitored WSMG(AM) in the late evening of Saturday, May 15, 1993, in the presence of four other people. At midnight, the station signed off the air. Following sign-off, we observed total silence with no static or distant stations being received. We continued to monitor WSMG(AM) until 1:30 a.m., and throughout this time observed no change in the carrier, which remained on without any additional programming or identification.

I hereby certify under penalty of perjury that the above statement is true.

Signed and dated this 24th day of September, 1993.


ROBERT C. SEAVER

EXHIBIT C

DECLARATION

I, David Burns, do hereby certify that:

1. In May, 1993, I was contacted by William H. Seaver, who ----- requested that I monitor WSMG(AM) to determine whether the station's transmitter carrier was being turned off at sign-off or remained on following sign-off. As a favor to Mr. Seaver, on Monday, May 31, 1993, I monitored the station prior to sign-off. The station was signed off the air at midnight, but following sign-off there was no static and no distant stations were received. I continued to monitor the station until I went to bed at approximately 12:30 a.m. and observed that there was no change in the carrier throughout this period.

2. On June 1, 1993, I monitored the station prior to sign-off. The station was signed off the air at midnight, but following sign-off there was no static and no distant stations were received. I continued to monitor the station until I went to bed at approximately 12:45 a.m. and observed that there was no change in the carrier throughout this period.

3. On June 2, 1993, I monitored the station prior to sign-off. The station was signed off the air at midnight, but following sign-off there was no static and no distant stations were received. I continued to monitor the station until I went to bed at approximately 12:45 a.m. and observed that there was no change in the carrier throughout this period.

4. On June 12, 1993, I monitored the station prior to sign-off. The station was signed off the air at midnight, but following sign-off there was no static and no distant stations were received. I continued to monitor the station until I went to bed at approximately 1:15 a.m. and observed that there was no change in the carrier throughout this period.

I hereby certify under penalty of perjury that the above statement is true.

Signed and dated this 25 day of September, 1993.


DAVID BURNS

EXHIBIT D

DECLARATION

I, David T. Murray, do hereby swear and state the following:

Bill Seaver, representing SBH Properties, Inc., retained me to perform certain investigative services with respect to WSMG AM, Greenville, Tennessee. Specifically, Bill Seaver contacted me and asked me to verify that WSMG AM was leaving their carrier on - unmodulated, unidentified, and with no apparent monitoring nor control - following their cessation of programming at midnight. Seaver indicated that he and others with whom he had communicated had observed the station operating this way many evenings over a protracted period of time, and he wanted verification using a field strength meter that WSMG AM was operating in this manner. He did not specify what evening he wished me to monitor the station - therefore my selection of Tuesday evening/ Wednesday morning - June 29/30 - was intentionally random.

On the evening of Tuesday, June 29, 1993, I arrived at the WSMG transmitter site at 10:40 pm. Utilizing a Potomac Instruments FIM 41 field strength meter, Serial #1631, calibrated by Potomac Instruments September 27, 1988, I stood at the upper right corner of the parking area adjacent to and closest to their transmitter building, verified that I was monitoring WSMG's signal, and measured a field of 3.9 volts in order to establish a reference field from that specific location during regular broadcasting hours with regular programming being aired.

I then entered my vehicle and drove a short distance from the transmitter building and parked beside the Kingsley Avenue Freewill Baptist Church, approximately 1/10 of a mile from the transmitter building. From this location I could observe any activity at the transmitter building, since this was the only street leading to it.

At 10:57 pm, I set the FIM 41 on my console, again verified that I was monitoring WSMG, and established a reference field of 330 millivolts within my vehicle during normal programming. This reference would allow me to note any variance in transmitter output power which might occur during my monitoring period. I also made a continuous audio recording of the station from 10:58 pm until well after 12 midnight.

Following is a brief summary of WSMG's programming from 11:00 pm until their conclusion of programming at 12:00 midnight, along with the measured field from my monitoring position (reference of 330 mv):

<u>TIME</u>	<u>PROGRAMMING</u>	<u>FIELD</u>
11:00 pm	Legal ID "WSMG - Greenville, Moshien, Tusculum, Baileyton" - ABC News	330 mv
11:04	WSMG Local News - Scott Nichols	
11:09	Weather, call letters	330 mv
11:22	Live local PSA' (camp, baseball), live call letters, WSMG jingle	330 mv
11:31	Weather, WSMG jingle	330 mv
11:39	Song ID, WSMG call	330 mv
11:49	Recorded promo	330 mv
11:52	Song ID, live promo morning show	330 mv
11:55	Recorded legal ID - "WSMG Greenville"	
	Scott Nichols read local news	330 mv

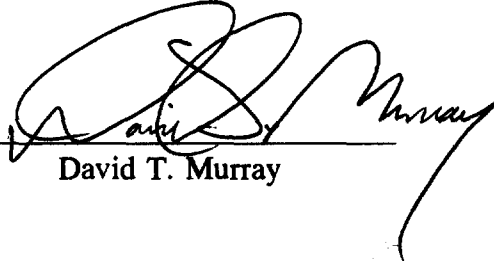
12:00 am	Scott Nichols live signoff <u>NOTE: AFTER MODULATION CEASED, CARRIER DID NOT DROP - FIELD DID NOT CHANGE FROM REFERENCE OF 330 mv</u>	330 mv
12:05 am	silence (no modulation)	330 mv
12:20 am	silence (no modulation)	330 mv
12:30 am	silence (no modulation)	330 mv
12:40 am	silence (no modulation)	330 mv
12:50 am	silence (no modulation)	330 mv
1:00 am	silence (no modulation - no ID)	330 mv

Having heard no modulation for over an hour, with the carrier still on at the same power level as utilized during normal programming, I then drove back to the transmitter building to re-measure the field from my original reference point at the upper right corner of the parking area adjacent to and closest to their transmitter building. The field was exactly the same - 3.9 volts - as it was when I took my first reading at 10:40 pm during regular programming.

I then drove to the WSMG studios at the corner of Sparta and Snapps Ferry Road, arriving at 1:15 am. With the exception of an outdoor floodlight and one interior light, the studios were dark and unoccupied. Both entrances of the building were locked, and a "CLOSED" sign hung inside the main entrance door. Having satisfied myself that no one was present at the studio location, I departed at 1:19 am.

While driving out of town, I monitored WSMG's unmodulated carrier some 5 - 6 miles out of town, until other signals on the same frequency began to overcome their unmodulated carrier. I ceased monitoring the station's carrier at 1:31 am.

I hereby certify under penalty of perjury that the above statement is true.
Signed and dated this 24th day of September, 1993.



David T. Murray

EXHIBIT E

DECLARATION

I, David T. Murray, do hereby swear and state the following:

Bill Seaver, representing SBH Properties, Inc. retained me to perform certain investigative services with respect to WSMG AM, Greenville, Tennessee. He asked me to visit the station in order to review its Public File, checking particularly for the presence and form of the specific documents required to be in the file by the FCC. On the morning of July 8, 1993, I personally reviewed the Public File of WSMG at its main studio location in Greenville, Tennessee.

In reviewing WSMG's Public File, I discovered that it contained the required programs/issues lists only for the periods of January - June 1991, January - June 1992, and 1993. In other words, WSMG had failed to place in its Public File the required quarterly programs/issues lists for the following periods of time:

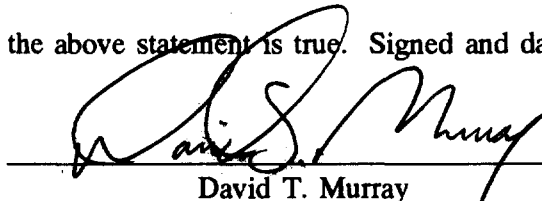
- July - December, 1992
- July - December, 1991
- October 1986 - December 1990

I asked the person who provided the Public File for my inspection if she could supply the programs/issues lists for those periods. She said that she could not. I then asked for and obtained a complete copy of all of the forms contained within WSMG's "PUBLIC AFFAIRS 1993" file, copies of which are appended to this declaration as Attachment #1.

There were two files each for the years 1992 and 1991. The files entitled "PUBLIC AFFAIRS - JANUARY-JUNE 1992" and "PUBLIC AFFAIRS JAN 1, 1991 - JUNE 31, 1991" contained the same type of filled-in forms as those found in the file for 1993, most of which reflected the broadcast of PSA's rather than actual programs. In addition to several filled-in programs/issues forms, the 1992 file contained 3 - 4 dozen blank "Public Affairs File" forms, in addition to quite a number of unorganized PSA requests from area organizations, newsletters containing event announcements, printed programs from various events, advertising flyers for various events, etc. The other file for 1992 - "PUBLIC AFFAIRS 1992" - contained only notes, press releases, calendars with dates and events marked, flyers, printed programs, etc. - with NONE of the many blank programs/issues forms filled in.

I also requested and received a copy of the WSMG Transmitter Logs for each day during the week of June 28 through July 4, 1993, copies of which are appended to this declaration as Attachment #2. WSMG's license indicates an authorization for a base or antenna current of 7.29 amps to produce 1,000 watts. FCC rule 73.1560 states "the antenna input power of an AM station...must be maintained as near as practicable to the authorized antenna input power and may not be less than 90% nor more than 105% of the authorized power" (emphasis added). Thus, the maximum power WSMG can supply to its antenna system is 105% of 7.29 amps, or 7.65 amps. However, the transmitter logs from the sample week of 6/8 - 7/4/93 clearly show that they exceeded their authorized power of 7.29 amps (1,000 watts) for the entire broadcast week. WSMG's logs document the fact that they exceeded their authorized power by more than 105% all day on 6/28, 6/29, 6/30, and 7/4/93. They exceeded 105% for portions of each of the remaining days in the sample week, yet did not terminate transmissions, as required by 73.1560 (a) (2).

I certify under penalty of perjury that the above statement is true. Signed and dated this 24th day of September, 1993.


David T. Murray

Attachment No. 1

PUBLIC AFFAIRS FILE

ISSUES/PROGRAMS LIST

THE FOLLOWING IS A LISTING OF SOME OF THE SIGNIFICANT ISSUES RESPONDED TO BY THIS STATION...ALONG WITH TYPICAL AND ILLUSTRATIVE PROGRAMMING FOR THE PERIOD OF JANUARY 1, 1993 TO JUNE 30, 1993. THE LISTING IS BY NO MEANS EXHAUSTIVE...THE ORDER IN WHICH THE ISSUES APPEAR DOES NOT REFLECT ANY PRIORITY OR SIGNIFICANCE.

DESCRIPTION OF ISSUE Issue of NAACP Projects

WHY ISSUE IS IMPORTANT TO GREENE COUNTY Let Public know of Projects & Plans of Local NAACP

RESPONSIVE PROGRAM (S) Talk Show

TITLE G.C. Today - NAACP with

DATE 1/20/93

TIME AND/OR DURATION 10 AM - 20 minutes

PROGRAM FORMAT DESCRIPTION Our talk show host talked with NAACP about local projects and a special recognition dinner to be held on following Sunday.

PUBLIC AFFAIRS FILE

ISSUES/PROGRAMS LIST

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DESCRIPTION OF ISSUE Little Theatre Production

WHY ISSUE IS IMPORTANT TO GREENE COUNTY Let public know about play

RESPONSIVE PROGRAM (S) G.C. Today - Jo Morris

TITLE Greene County Today - Guest Jo Morris

DATE 1/21/93

TIME AND/OR DURATION 10:00 am 20 minutes

PROGRAM FORMAT DESCRIPTION Jo Morris director & star of Little Theatre's "Love Letters" was guest to talk about the uniqueness of this production and to encourage people to attend.

PUBLIC AFFAIRS FILE

ISSUES/PROGRAMS LIST

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DESCRIPTION OF ISSUE *Legislative Breakfast*

WHY ISSUE IS IMPORTANT TO GREENE COUNTY *Get people interested and involved in local & state politics*

RESPONSIVE PROGRAM (S) *QSA's - Report from Legislative Breakfast*

TITLE *QSA & M.C. Today - Legislative Bkfst*

DATE *QSA: Feb 15-19 & daily & 4/22/93*

TIME AND/OR DURATION *30 second QSA promoting attendance & 30 minute program*

PROGRAM FORMAT DESCRIPTION *During daily talk show we had taped program from Legislative Breakfast - show our State Reps full on various issues.*

PUBLIC AFFAIRS FILE

ISSUES/PROGRAMS LIST

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DESCRIPTION OF ISSUE

Little Theatre Production

WHY ISSUE IS IMPORTANT TO GREENE COUNTY

Let people know about opportunity

RESPONSIVE PROGRAM (S)

Tuck Show & PSA's

TITLE

Greene County Today with David Hawk

DATE

*3/16/93**3/8 - 3/19*

TIME AND/OR DURATION

*10:00am - 15 minutes**30 second PSA's**5 daily**X 10 days**3/8 - 3/19*

PROGRAM FORMAT DESCRIPTION

Run folks show host spoke with Little Theatre Director David Hawk about upcoming Little Theatre Day.

PUBLIC AFFAIRS FILE

ISSUES/PROGRAMS LIST

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DESCRIPTION OF ISSUE

Promotion of Pub. & Elementary
School "Spring Fling" - general raising
event for school

WHY ISSUE IS IMPORTANT TO GREENE COUNTY

Let public know of a
fun activity where money raised went to
education

RESPONSIVE PROGRAM (S)

Talk Show

TITLE

G.C. Today with Cindy Adoranti

DATE

3/25/93 OSA's

TIME AND/OR DURATION

10:00 am - 15 minutes
30 second OSA's 3/26 - 4/3

PROGRAM FORMAT DESCRIPTION

Our talk show host
talked with Chairman of Pub. & Elementary
about activities to be offered &
how money would be spent at
school

PUBLIC AFFAIRS FILE

ISSUES/PROGRAMS LIST

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DESCRIPTION OF ISSUE Promotion of Kewanee Tapes

WHY ISSUE IS IMPORTANT TO GREENE COUNTY People to know of entertainment availability & to become aware of Kewanee projects

RESPONSIVE PROGRAM (S) Jack Show and PSA's

TITLE G.C. Today with Mavis Cash

DATE 4/1/93 and 3/24/93 - 4/3/93

TIME AND/OR DURATION 10:00 AM - 15 minutes
30 second PSA's

PROGRAM FORMAT DESCRIPTION Our talk show host spoke with publicity Director of local Kewanee Club about upcoming Annual event which is major fund raiser for club. Also talked about local projects of the group

PUBLIC AFFAIRS FILE

ISSUES/PROGRAMS LIST

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DESCRIPTION OF ISSUE

*Operation of Red Cross
Blood Drive*

WHY ISSUE IS IMPORTANT TO GREENE COUNTY

*Make people aware
of importance of giving blood*

RESPONSIVE PROGRAM (S)

Talk Show

TITLE

G.C. Today with Brenda Gaines

DATE

4/13/93

4/9/93 - 4/15/93

TIME AND/OR DURATION

*10:00 am - 15 minutes
30 second PSA's*

PROGRAM FORMAT DESCRIPTION

*Our talk show host
spoke with head of local Red Cross
about how to give blood, why it's
important and to promote during
community Blood Drive set for
April 15.*

PUBLIC AFFAIRS FILE

ISSUES/PROGRAMS LIST

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DESCRIPTION OF ISSUE Promotion of Greene Springs '93

WHY ISSUE IS IMPORTANT TO GREENE COUNTY To promote Arts & Entertainment Activities

RESPONSIVE PROGRAM (S) Talk show

TITLE G.C. Today - with Jay Hugwood

DATE 4/15/93

TIME AND/OR DURATION 10:00 am ~~10:05 am~~ 15 minutes

PROGRAM FORMAT DESCRIPTION Our talk show host spoke with Chairman of Needle Craft event at Greene Springs '93 event. She talked of rules for entering work in event & encouraged attendance of public

PUBLIC AFFAIRS FILE

ISSUES/PROGRAMS LIST

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DESCRIPTION OF ISSUE

Promotion of Professional Secretaries

WHY ISSUE IS IMPORTANT TO GREENE COUNTY

Mike Gubley aware of contributions secretaries make

RESPONSIVE PROGRAM (S)

Talk Show

TITLE

G.C. Today with Jan Lenko and June Brown

DATE

4/15/93

TIME AND/OR DURATION

10:30 am 15 minutes

PROGRAM FORMAT DESCRIPTION

Our talk show host spoke with local PTA members about the activities planned locally for Secretaries Week. Promoted by joining of G.S.T. as well

ISSUES/PROGRAMS LIST

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DESCRIPTION OF ISSUE

Secretary of the Day

WHY ISSUE IS IMPORTANT TO GREENE COUNTY

*"Spotlight"**A different Secretary each Day of special interest*

RESPONSIVE PROGRAM (S)

*Promoted nomination of Secretary by
Guller through PSA's 4-1-93 - 4-13-93*

TITLE

"Secretary of the Day"

DATE

April 19-23

TIME AND/OR DURATION

*Early morning draw from those
nominated with different one daily
winning a prize basket worth of \$60.00*

PROGRAM FORMAT DESCRIPTION

*Fun PSA's (30 seconds)
4/1/93 - 4/13/93 Soliciting nominations*

PUBLIC AFFAIRS FILE

ISSUES/PROGRAMS LIST

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DESCRIPTION OF ISSUE Jaycee Radio Auction

WHY ISSUE IS IMPORTANT TO GREENE COUNTY Make Public aware of contributions of local Jaycees - consumers get retail items at a bargain

RESPONSIVE PROGRAM (S) 2 Programs 6 hours each
PSN's ran 4/10/93 - 4/16-93

TITLE Jaycee Radio Auction

DATE April 16 6pm - midnight
April 17 6pm - midnight

TIME AND/OR DURATION 6 hours x 2 nights
30 second PSN's ran 4/10 - 4/16 - 12 daily

PROGRAM FORMAT DESCRIPTION Up literally turned the station over to local State of Franklin Jaycees to auction items they had gotten donated from local merchants.

They raised \$1500 for local youth projects.

PUBLIC AFFAIRS FILE

ISSUES/PROGRAMS LIST

THE FOLLOWING IS A LISTING OF SOME OF THE SIGNIFICANT ISSUES RESPONDED TO BY THIS STATION...ALONG WITH TYPICAL AND ILLUSTRATIVE PROGRAMMING FOR THE PERIOD OF JANUARY 1, 1993 TO JUNE 30, 1993. THE LISTING IS BY NO MEANS EXHAUSTIVE...THE ORDER IN WHICH THE ISSUES APPEAR DOES NOT REFLECT ANY PRIORITY OR SIGNIFICANCE.

DESCRIPTION OF ISSUE *Promotion of work of Literacy Council*

WHY ISSUE IS IMPORTANT TO GREENE COUNTY *Make people aware of highly illiterate people & help them know where to seek help*

RESPONSIVE PROGRAM (S) *Talk Show*

TITLE *G.C. Today with Barbara Dawson and Nancy Mitchell*

DATE *April 19*

TIME AND/OR DURATION *10:00 A.M. 25 minutes*

PROGRAM FORMAT DESCRIPTION *Our talk show host spoke with representatives of local Literacy Council about work they are doing locally & how to recruit & recruit on that and volunteer.*